

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
CLARKSBURG**

**STEPHEN J. BALISE, M.D.,**

**Plaintiff,**

**v.**

**BRITTANY JACKSON,**

**Defendant.**

**CIVIL ACTION NO.: 1:24-CV-2  
(JUDGE KLEEH)**

**ORDER DENYING DEFENDANT'S  
MOTION TO COMPEL DISCOVERY [ECF NO. 28] AS MOOT**

Presently pending before the Court is a motion to compel discovery [ECF No. 28] filed by Defendant on April 11, 2024. By Referral Order [ECF No. 48] entered on June 7, 2024, the Hon. Thomas S. Kleeh, Chief United States District Judge, referred the motion to the undersigned United States Magistrate Judge to conduct a hearing and enter an order as to appropriate disposition of the motion.

The undersigned had convened a Motion Hearing on June 6, 2024, pursuant to an earlier Referral Order [ECF No. 5] by which Judge Kleeh had referred the entire matter to the undersigned when Plaintiff was proceeding *pro se*. Plaintiff subsequently retained counsel herein, who have appeared. Judge Kleeh vacated the first Referral Order upon counsels' appearance, and specifically referred the pending motion to compel.

After the hearing on June 6, 2024, the undersigned convened the matter for further Motion Hearing on July 1, 2024. At the hearing of July 1, 2024, Plaintiff's counsel updated the Court as to efforts to respond to Defendant's discovery requests now that Plaintiff's counsel has appeared.

Defendant's counsel confirmed that Defendant had received responses to the discovery requests and did not perceive a need for the Court's further involvement at this time.

Accordingly, then, based on the foregoing, Defendant's motion [ECF No. 28] to compel discovery is hereby **DENIED as moot**. It is so **ORDERED**.

The Clerk of the Court is **DIRECTED** to provide a copy of this Order to any parties who appear *pro se* and all counsel of record, as provided in the Administrative Procedures for Electronic Case Filing in the United States District Court for the Northern District of West Virginia.

**DATED: July 1, 2024.**



MICHAEL JOHN ALOP  
UNITED STATES MAGISTRATE JUDGE